



January 15, 2003

Mr. Tom Nash
Associate Regional Counsel
U.S. Environmental Protection Agency - Region 5
77 West Jackson Boulevard
Chicago, IL 60604

Re: IWD Driver Depositions and Waste Management 104(e) Response

Dear Tom:

Per my e-mail of today, please find enclosed excerpts from the IWD driver depositions that ITW reviewed during a file review regarding the Valleycrest Landfill at the Southwest District Office of Ohio EPA.

I have also enclosed a 104(e) response without attachments from Waste Management regarding the Valleycrest Landfill. While I understand that Waste Management may very well have no customer lists, etc. that directly relate to the South Dayton Dump, a response such as the enclosed would have been more helpful. It is a little hard for me to believe that they suddenly have no driver information that might be helpful. I understand from the counsel for Dayton Power and Light that additional driver depositions were taken in 2001 and 2002 related to Valleycrest. While we plan to contact Waste Management directly about driver information, I think that they owe U.S. EPA a full and truthful response and that driver information would be an important part of that response.

Thank you again for your consideration.

Sincerely,

Ken Brown, CHMM
Environmental Engineer

Enclosures



Waste Management of North America-Midwest Group
Midwest Region
17250 Newburgh Road Suite #100
Livonia, Michigan 48152-2618
313/462-6900

March 5, 1993

VIA FEDERAL EXPRESS

**RECEIVED
OHIO EPA**

Ms. Jane LaGasse
Ohio Environmental Protection Agency
40 South Main Street
Dayton, Ohio 45402

MAR 08 1993

SOUTHWEST DISTRICT

SUBJECT: Valleycrest Landfill
Dayton, Ohio
Industrial Waste Disposal Co., Inc.

Dear Ms. LaGasse:

This letter is submitted by Waste Management of Ohio, Inc. (WMO) on behalf of Industrial Waste Disposal Co. Inc. (IWD) in response to the Ohio EPA information request issued on 12/22/92. On 1/19/93, Respondent requested a 30-day extension to complete its response, which was granted on 1/22/93.

Persons consulted with respect to this request:

Gary Abner, WMO - IWD, Sales
Debbie Alsip, WMI - Corporate, Paralegal
Tony Barbush, Evergreen RDF, Division President
Meg Briarton, WMNA - Midwest Group, Midwest Region, Paralegal
Dan Connaughton, WMO - IWD, Driver
Mart Crowe, WMO - Blaylock, Assistant General Manager
Max Clucas, former WMO - IWD, Driver
Bob Dalton, WMO - IWD, Operations Supervisor
Ray Davis, former IWD Sales Manager
Art Dudzinski, WMNA - Western Group, Region Operations VP
Bill Fournier, WMO - IWD, Division President
James Harris, WMO - IWD, Mechanic and Relief Driver
Edward Henderson, former Blaylock employee
John Hogue, WMO - IWD, Driver
William Johnson, WMO - IWD, Driver
John Papp, WMO - IWD/Blaylock, Special Projects Consultant
Boyd Pearson, WMO - IWD, Driver
Arnold Ray Polley - WMO - IWD, Driver
Pam Post, WMI - Corporate, Senior Paralegal
James Ritchie, WMO - IWD, Driver



Ruth Schutz, Pinnacle Road RDF, Office Manager
Tom Shoup, WMO - IWD, Driver
Joe Smart, WMO - IWD Driver
Vernon Vencill, WMO - IWD Driver
Joe Woerner, WMO - Koogler, Division VP and Controller
Gary Woolery, WMO - IWD, Driver

1. Yes.

INTERVIEWS

In order to determine specific information concerning the materials disposed of, quantity, composition, generators, etc., using a court reporter, Respondent has taken statements of the following individuals who may have such knowledge:

Gary Abner
Dan Connaughton
Bob Dalton
Bill Fournier
James Harris
John Hogue
William Johnson
Boyd Pearson
Arnold Ray Polley
James Ritchie
Tom Shoup
Joe Smart
Vernon Vencill
Gary Woolery

The transcripts of these statements are scheduled to be received in approximately 2 - 3 weeks. Upon receipt, Respondent will promptly provide a copy of the statements to OEPA. In addition, two former IWD employees have been interviewed and provided the following information:

Max Clucas - former IWD employee from 1965 - 1991; driver from 1965 - 1974, at which time he became dispatcher. Approximately 85% of the time he ran lugger, the other 15% was relief for roll-off and front end load. Clucas hauled loads into Valleycrest. The biggest accounts that he transported to Valleycrest were from NCR - "cubes of dried stuff, buried in a separate area," saw dust, empty paint cans, NCR also self-hauled; Dayton Tire and Rubber - "nasty," lamp black, rubber cement. Clucas also recalled hauling GM-Inland, Vandalia, to Valleycrest. He thought Frigidaire waste went to Valleycrest, although he didn't haul much of it. Clucas recalled transporting barrels which contained liquid (sludge/oil) from Delco Products to Valleycrest.



Ray Davis - former IWD Sales Manager from 1964 - 1986. Davis indicated that the original parcel (east side) was acquired from Lewis Blaylock. When Danis acquired Valleycrest, there was a lake on the property which eventually was filled with refuse, including foundry sand from Dayton Castings. Other Valleycrest customers included: Dayton Tire and Rubber - lamp black/lugger, oils used to clean floors, which when mixed with water created a sludge-like substance; Delco Products - occasional bad shock absorbers; NCR - magnesium chips in barrels (approximately 1/3 magnesium and 2/3 water, if exposed to air the mixture would ignite so it was packed in barrels and buried in a separate area at Valleycrest); GM - there were a few fires at the landfill because one of the plants disposed of residual asbestos dust/bonding agents used in the production of brake shoes, which occasionally would smolder spontaneously at the landfill, dust, vinyl, brake shoes, steering wheels, dashboards, seats, foam rubber pieces used while assembling dashboards.

Respondent expects that other individuals with knowledge will be identified as this investigation proceeds. Respondent will attempt to locate and interview such people and any new information will be promptly provided as a supplemental response to this information request.

DOCUMENTS

A thorough investigation has been conducted to identify all documents within Respondent's control that could provide information responsive to this information request. The following documents have been identified:

- (a) IWD Dispatching Customer Listing (microfiche -- 1974 - 1978)
- (b) IWD Invoices (microfiche -- 1974 - 1978)
- (c) IWD Driver's Daily Reports (1975)
- (d) IWD Dumpmaster Route Sheets (1975)

Representative samples of each of these type of documents are attached - see **Attachments A - D**. All of these documents are available for your review at the above address.

2. IWD did not own, operate or lease the site.
3. See *North Sanitary Landfill, Inc. (NSL) information request response*. Respondent believes that Keystone Gravel Co. (Keystone) owned the Valleycrest property while it was in operation as a landfill from 1966 - 1975. Respondent has no information regarding the present or prior owners. Respondent has not yet determined the role of Sanitary Landfill Co. in the ownership and/or operation of Valleycrest.



4. See *NSL information request response*. Respondent believes that Keystone leased the Valleycrest property to Lewis Blaylock in 1965. Blaylock conducted a landfill operation at the site until he transferred and assigned his interest in the lease to NSL in 1966. Respondent has not yet determined the role of Sanitary Landfill Co. in the ownership and/or operation of Valleycrest.
5. Respondent has been unable to locate any permits for the facility.

QUESTIONS (B) - SET NUMBER TWO

1. IWD is successor to the liabilities of NSL but not to those of Blaylock. (Please note that the documents included as **Attachment E** contain language which indemnifies WMI from certain liabilities of IWD).
2. The corporate history of IWD and Blaylock is as follows:

IWD incorporated as a waste hauler on 2/8/55; NSL incorporated on 5/19/66. IWD and B.G. Danis Co. entered into a management agreement on 12/30/71. On 6/30/72, Disposal Equipment, Inc. merged with and into IWD. IWD was acquired by Waste Management, Inc. (WMI) on 9/30/83. Waste Management of North America, Inc. (WMNA) holds 100% of the company stock. NSL was a subsidiary of IWD (second tier of Danis), which was also acquired from Danis on 9/30/83. IWD was merged into WMO on 8/31/89.

Blaylock Trucking and Refuse Service, Inc. incorporated on 5/29/63. Blaylock was acquired by B.G. Danis Co., Inc. on 7/2/71. Blaylock and Danis entered into a management agreement on 12/30/71. The company name was changed to Blaylock Trucking, Inc. on 1/6/72. The company name was changed to Blaylock Trucking Company, Inc. on 2/7/72. On 9/28/72, King Waste Removal, Inc. was merged with and into Blaylock Trucking Company, Inc. WMI acquired Blaylock on 9/30/83. WMNA holds 100% of the company stock. Blaylock was merged into WMO on 8/31/89.

- (a) IWD did not acquire Blaylock.
- (b) Stock and assets. See **Attachment E** - Agreement for the Purchase of All the Outstanding Shares of Industrial Waste Disposal Co., Inc., Blaylock Trucking Company, Inc., Dayton Equipment & Leasing, Inc. and Danville Sanitary Landfill, Inc. - 9/10/83; Certificate - 10/4/83; Indemnification - 10/4/83..
- (c) See (b).
- (d) See IWD and Blaylock corporate histories above.



(e) None.

WMO is the Waste Management entity doing business in Ohio. Respondent has reviewed its files and conducted an investigation to identify and interview those individuals who could have knowledge with respect to the information requested by Ohio EPA. WMO reserves the right to supplement or modify this response if new or additional information is subsequently discovered.

Sincerely,

Robert E. Leininger
Environmental Counsel

/mb

Enclosures



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**VALLEYCREST
IWD
DRIVER
DEPOSITIONS**

1 VERNON VENCILL

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MR. LEININGER:

7 Q. Would you please state your name?

8 A. Vernon Vencill.

9 Q. And your address?

10 A. 3115 Meyers Tillman Road, Arcanum, Ohio.

11 Q. And your age?

12 A. Forty-nine.

13 Q. Are you currently employed by IWD?

14 A. Yes, sir.

15 Q. And what is your position?

16 A. Truck driver.

17 Q. When did you begin working for IWD
18 approximately?

19 A. I believe it was '72, 1972.

20 Q. And what was your position that you were
21 hired into?

22 A. Truck driver.

23 Q. So have you been a truck driver during
24 your entire career with IWD?

25 A. Yes, sir.

00408

1 GARY B. ABNER
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MR. LEININGER:

7 Q. Would you please state your name?

8 A. Gary B. Abner, A B N E R.

9 Q. How old are you?

10 A. Forty-six.

11 Q. And what is your address?

12 A. 125 South Old Mill Road. That's in Union,
13 Ohio 45322.

14 Q. I know that when we took your statement for
15 the Cardington Road folks, you gave us some
16 information. If you could just -- if you don't mind
17 repeating that about some of your employment history,
18 I think you had indicated you had started working for
19 IWD in September of '74; is that true?

20 A. Yes, uh-hum.

21 Q. And you started out doing front end load
22 work, was it?

23 A. Front load work, uh-hum.

24 Q. And could you recall the route number you
25 had by any chance?

00479

1 ROBERT J. DALTON

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Can you state your name, address, and age,
8 please?

9 A. My name is Robert Dalton, and I live at
10 4 Circle Drive, West Milton, Ohio, and I'm fifty-eight
11 years old.

12 Q. And briefly let's review your employment
13 history. I've gone through your Cardington Road
14 transcript. If I'm correct, in 1962 you started with
15 IWD?

16 A. Yes.

17 Q. As a driver?

18 A. Right.

19 Q. First of all, did you have any experience
20 in the waste industry prior to being employed --

21 A. No, ma'am.

22 Q. And then you left the company from about
23 1970 to '73?

24 A. Yes.

25 Q. And returned in '73 and became a dispatcher

1 JAMES G. RITCHIE

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state for the record your
8 name, address, and age?

9 A. James G. Ritchie, 1834 Montgomery Avenue,
10 Fairborn, Ohio, fifty-three.

11 Q. First of all, although I know you've been
12 through this before, let's go over your employment
13 history. Okay? Did you have any prior waste industry
14 experience before starting with IWD?

15 A. No.

16 Q. It's my understanding you started with IWD
17 in 1970?

18 A. '70.

19 Q. And what was your first position with IWD?

20 A. I was a roll-off driver.

21 Q. Roll-off driver. Okay. Did you have a
22 full-time permanent route, or was it relief?

23 A. No. All of our roll-offs were dispatched.

24 Q. Dispatched?

25 A. Yeah. You didn't know where you was going

00633

1 JOSEPH D. SMART

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state your name and
8 address and age?

9 A. Joseph D. Smart, 5140 Tilbury Avenue,
10 Huber Heights. I'm fifty-two.

11 Q. Okay. I know you've been through this
12 before, but we will do it again. Let's start with
13 your employment history. Can you tell me when you
14 started?

15 A. 1967.

16 Q. And that was with Danis?

17 A. Yes.

18 Q. Okay. You started with Danis in 1967 as a
19 driver?

20 A. Yes, ma'am.

21 Q. Okay. And what -- is that front end,
22 rolloff?

23 A. Front end.

24 Q. Front end, okay. And how long -- well, my
25 notes say as a driver you've done everything, so --

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VALLEYCREST LF 557-0583
200 Valleycrest Drive
Dayton 45404 Montgomery County
PRP Response
Danis Volume III

VALLEYCREST LF
DEAD FILE BOX

#2

DERR FILE

1
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OHIO EPA**

MAY - 5 1993

1 IN THE MATTER OF:

SOUTHWEST DISTRICT

2
3 CARDINGTON ROAD SANITARY LANDFILL
4

5 * * *

6 Deposition of BOYD D. PEARSON, Witness
7 herein, called by the Cardington Road Coalition for
8 cross-examination pursuant to the Rules of Civil
9 Procedure, taken before me, Carol A. Sawyer, a Notary
10 Public in and for the State of Ohio, at the offices
11 of Industrial Waste Disposal, 3975 Wagner Ford Road,
12 Dayton, Ohio, on Wednesday, December 9, 1992, at
13 2:45 o'clock p.m.

14 * * *
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21
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24
25

01122

1 APPEARANCES:

2 On behalf of the Cardington Road Coalition:

3 Beveridge & Diamond, P.C.

4 By: Christopher W. Mahoney

5 Scott Belcher

6 Attorneys at Law

7 Suite 700

8 1350 I Street, N.W.

9 Washington, D.C. 20005

10

11 On behalf of Industrial Waste Disposal:

12

13 Waste Management of North America, Inc.

14

15 By: Robert E. Leininger

16 Attorney at Law

17 Mideast Region

18 17250 Newburgh Road

19 Livonia, Michigan 48152

20

21 ALSO PRESENT:

22

23 Steven B. Stanley

24

25 * * *

26

27

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30

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32

33

34

35

1 BOYD D. PEARSON
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 CROSS-EXAMINATION

6 BY-MR. MAHONEY:

7 Q. State your name, please, for the record.

8 A. Boyd Darrell Pearson.

9 Q. And your age, Mr. Pearson?

10 A. Forty-three.

11 Q. And your address?

12 A. 1234 Kercher Street, Miamisburg, Ohio.

13 Q. In the event Bob hasn't briefed you
14 beforehand, let me just tell you preliminarily, I
15 represent members of Cardington Road Coalition who are
16 investigating conditions at the Cardington Road site.
17 Part of that investigation entails talking to people
18 like yourself trying to get information on other
19 entities that may have contributed waste to the site.

20 A. Okay.

21 Q. We are taking your testimony on a
22 transcript so we can preserve it, and in the event we
23 need it down the road, we don't have to come back and
24 pester you again. When I ask a question and you don't
25 understand it, please feel free to tell me, and I'll

01123

1 rephrase it.

2 A. Okay.

3 Q. If you would verbally respond so she can
4 get everything down on the transcript and not just nod
5 your head.

6 Tell me what your position was at IWD in
7 the 1970's.

8 A. Driver.

9 Q. What kind of trucks did you drive?

10 A. All of them.

11 Q. Those would have been the basic three,
12 front end loader, the luggers and the rollofts?

13 A. Yeah.

14 Q. Did you spend any more time on a
15 particular truck than another truck?

16 A. Lugger.

17 Q. When were you hired by IWD?

18 A. September the 11th, '67.

19 Q. And you've worked since then at IWD?

20 A. I had two years military leave time.

21 Q. Now, in that time from 1970 to '80, did
22 you haul to Cardington?

23 A. From '70 until --

24 Q. Until '80.

25 A. Yeah.

501

1 Tru-Foto?

2 A. It was paper trash. I used to look
3 through the pictures, that's the reason I remember.
4 Yeah, they had a lot of pictures and paper type trash
5 from Tru-Foto. I used to take it down to Cardington
6 and dump it and string it out from here to that fence,
7 and then you would go back through it and look at all
8 the pictures.

9 Q. And had a piece of pie?

10 A. It paid good.

11 Q. How about Ohio Precision Casting?

12 A. We used to haul them to Cardington Road.

13 Q. What waste did they produce?

14 A. That was a casting type company, Ohio
15 Precision was. I guess it would be plaster type
16 stuff.

17 Q. Did you haul anything from Dayton Walther
18 to Cardington?

19 A. I can't remember it.

20 Q. Did you haul anything from Dayton Walther
21 elsewhere?

22 A. Yeah, I hauled from Dayton Walther, but I
23 can't remember taking it to Cardington Road.

24 Q. What type of waste did they produce?

25 A. Foundry sand, and then they had foundry

01149

1 sludges. They had a sludge pond over there, and about
2 once a year they would take a crane and clean the pond
3 out.

4 Q. Where did the sludges go?

5 A. They took it down on East River Road and
6 dumped it.

7 Q. Did they ever make their way to a
8 landfill?

9 A. That was a landfill.

10 Q. How about to Cardington?

11 A. No.

12 Q. Do you ever remember --

13 A. Not as I know of. I never took it there.

14 Q. What about Economy Products?

15 A. Never heard of it.

16 Q. Kawasaki Cycle City?

17 A. They dump in Tokyo.

18 Q. How about Cooper Jarett?

19 A. Don't remember.

20 Q. Do you know who they are?

21 A. No.

22 Q. What about Vindale Corporation --

23 A. Cooper Jarett, that's a trucking company.

24 Q. -- do you remember them?

25 A. Never heard of them. Cooper Jarett used

VALLEYCREST LF 557-0583
200 Valleycrest Drive
Dayton 45404 Montgomery County
PRP Response
Danis Volume II

VALLEYCREST LF
DEAD FILE BOX
#2

DERR FILE

1 JOSEPH E. WORNER
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 CROSS-EXAMINATION

6 BY-MR. BELCHER:

7 Q. Could you state your full name for the
8 record?

9 A. Joseph E. Worner.

10 Q. And your age, Mr. Worner?

11 A. Forty-one.

12 Q. I didn't scare you or embarrass you?

13 A. No, I was worried about remembering the
14 math.

15 Q. And your address?

16 A. It's 1976 North Springcrest Court,
17 Beavercreek, Ohio.

18 Q. All right. And you're an employee of
19 Danis or IWD?

20 A. Was I or am I?

21 Q. Are you?

22 A. No, I am not.

23 Q. Who are you currently employed by?

24 A. I'm employed by Waste Management, the
25 Koogler Division.

. 00588

1 ROBERT J. DALTON

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MR. BELCHER:

7 Q. Could you please state your name for the
8 record, your full name for the record?

9 A. Robert James Dalton.

10 Q. All right. Mr. Dalton, how old are you?

11 A. I'm fifty-eight.

12 Q. And what is your address?

13 A. Four Circle Drive, West Milton, Ohio.

14 Q. Okay. I want to give you just a little bit
15 of the ground rules. As you know, we're here
16 representing the Cardington Road Coalition, a group of
17 companies investigating the landfill, trying to see
18 who all dumped there and who else dumped there.

19 The reason that we're putting your
20 testimony on where we're having it transcribed is so
21 that we can preserve it and we don't have to come back
22 and bother you over and over again.

23 A. I understand.

24 Q. If you don't understand any question that I
25 ask, please ask me to restate it and I'll try to

00787

1 Q. The top portion of the driver's daily
2 report?

3 A. Yeah. Indicating where the load went.

4 Q. On this top portion, you say indicating
5 where the load went. It would say landfill -- on this
6 example, it has landfill and two, but there's -- is
7 there any way to tell which landfill from this
8 document other than this comment portion that may or
9 may not have been filled in?

10 A. No, there's nothing that indicates it
11 there. But there again, you know, up -- if it would
12 have been any landfill other than Cardington at the
13 time, if that's where we were dumping at the time, I
14 would have knowed, you know, and it would have been
15 indicated on the sheet that it didn't go to any -- any
16 one of these specified dump areas and this, then,
17 would have probably been put under comments, you know,
18 if we had to take it other than a place mentioned
19 there.

20 Q. During the 1973 to 1980 period, which
21 landfills did you haul waste to besides Cardington
22 Road?

23 A. The only thing that I could say at this
24 point in time is I think there was a hard fill in
25 Miami County that we may have put hard fill in.

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**VALLEYCREST
IWD
DRIVER
DEPOSITIONS**

1 WILLIAM E. FOURNIER
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state your name, address,
8 and age for the record?

9 A. William Fournier. Name --

10 Q. Address.

11 A. I'm sorry. 120 Copperfield Place, Dayton.

12 Q. It's those tough ones --

13 A. Yeah, that come back to haunt you.
14 Forty-three.

15 Q. Would you tell me when you started with
16 IWD?

17 A. 1970.

18 Q. And what was your position at IWD?

19 A. At that time I was a parts runner.

20 Q. And how long were you a parts runner?

21 A. A couple years. Then I started driving.

22 Q. What type of truck?

23 A. Roll-off.

24 Q. And for how long?

25 A. I drove a roll-off off and on for my entire

1 JOHN HOGUE

2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. For the record, would you please state your
8 name, address, and age?

9 A. John Hogue, 417 Lincoln Drive, Carlisle,
10 sixty-two.

11 Q. Mr. Hogue, can you tell me when you started
12 with IWD, what year?

13 A. Started in November of '76. It was on
14 a part-time basis, and I went on permanent January
15 18th -- no, no, I'm sorry -- March 18th, 1977.

16 Q. When you started part-time, what was your
17 position?

18 A. Driving truck.

19 Q. What kind of truck did you drive?

20 A. I drove a roll-on truck mostly.

21 Q. When you became a permanent employee or
22 full-time employee in March, were you also driving
23 roll-off?

24 A. Well, we run everything back then, front
25 loads and --

1 GARY WOOLERY
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state your name, address
8 and age, please?

9 A. Gary Woolery, 6792 South Jay Road, West
10 Milton, Ohio.

11 Q. And your age?

12 A. Forty.

13 Q. Okay. Let's review your employment
14 history with IWD. Can you tell me when you started,
15 please?

16 A. Approximately 1977.

17 Q. 1977. Okay. And what was your position?

18 A. Driver.

19 Q. And what kind of driver, front end,
20 rolloff, did you start as relief?

21 A. Relief guy at first.

22 Q. 1977 as relief. Was that front end,
23 rolloff, all of them?

24 A. Yeah.

25 Q. Front end?

1 THOMAS E. SHOUP
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Okay, Tom. Would you please state your
8 name, address, and age?

9 A. I'd rather not. Thomas E. Shoup, 2256
10 Michigan Drive, Xenia, Ohio, forty-nine and
11 three-quarters years old.

12 Q. Three-quarters. Okay.

13 (Thereupon, an off-the-record
14 discussion was had.)

15 Q. As I explained off the record, we're going
16 to discuss Powell Road and ask you a few questions and
17 go through some customer names, and to the best of
18 your knowledge, you can tell me what you remember, and
19 if you don't, that's fine.

20 A. Okay.

21 Q. It's my understanding that you started with
22 IWD in April of '78.

23 A. Yes, ma'am.

24 Q. And at that time what was your position?

25 A. Basically it was relief.

1 JAMES L. HARRIS, JR.
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Can you please state your name, address,
8 and age, please?

9 A. James L. Harris, Jr., 4134 Kamer Avenue,
10 zip code one seven.

11 Q. And your age?

12 A. Fifty-two.

13 Q. You were going to say forty-two, huh?
14 Shave off ten years?

15 A. Try to.

16 Q. First of all, can you tell me when you
17 started with IWD, what year?

18 A. '74, August 26.

19 Q. Before starting with IWD -- which would
20 probably be Danis at that time, correct?

21 A. Yeah.

22 Q. Before it was IWD it was a Danis owned
23 company?

24 A. Uh-hum.

25 Q. Did you have any prior experience in the

1 DAN E. CONNAUGHTON
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Can you state your name and address?

8 A. Dan E. Connaughton, 4218 Straight Arrow
9 Road.

10 Q. And age?

11 A. Forty-one.

12 Q. And can you tell me when you started with
13 IWD?

14 A. August of '74.

15 Q. Okay. And did you have any prior
16 experience in the waste industry?

17 A. No.

18 Q. Okay. And you started with IWD in '74, I
19 assume, as a driver?

20 A. Right.

21 Q. Front end, rolloff?

22 A. I was hired in as a container delivery,
23 and then --

24 Q. For how long?

25 A. Probably the first six months. And then I

1 haulers, any big haulers that you recall hauling to
2 Powell? I know there was Container Services and SCA.

3 A. Yeah, that's what I was going to say,
4 Container Services. Just us and Container Services
5 was about the only two companies back then.

6 Q. Okay.

7 A. Things change.

8 Q. Yes. Of course half of them we have
9 acquired.

10 Do you remember, was Art Durczynski a
11 general manager when you started at IWD?

12 A. I don't remember.

13 Q. Do you know who your general manager was
14 when you started?

15 A. I heard the name, but that don't sound
16 right. They come and go pretty quick here, about
17 every six months.

18 Q. All right. So in summary, you started in
19 '74, did container delivery for six months, relief for
20 about six months, and then you went to front end
21 loader about '75, with some rolloff and lugger and
22 overtime?

23 A. Uh-hum.

24 Q. Okay. You handled Route 34, which covered
25 the east area of Dayton for about seven to eight

1 Tremont, because that was up there by Springfield,
2 Tremont City.

3 THE WITNESS: Yes.

4 MS. BRIARTON: Here it is, right there
5 (indicating). Does that help?

6 THE WITNESS: Yeah, it's the same one,
7 same thing.

8 MR. LEININGER: Okay. I just want to
9 add a couple more questions, and then you can do that.

10 Q. Any other customers that jump out at you
11 that you think we maybe haven't covered yet?

12 A. No, I can't think of a -- of anything
13 right now.

14 Q. Okay. And as far as Valleycrest goes, do
15 you know anyone that might have information about
16 Valleycrest other than --

17 A. And these drivers here?

18 Q. Boyd Pearson, Darrell?

19 A. Boyd, yeah, and Vance, like you got
20 Vance. Did Vince haul to Valleycrest?

21 MS. BRIARTON: Yes. We know a lot are
22 no longer with the company, they may have been older
23 drivers.

24 Q. Valleycrest, did they have any specific
25 places where liquids were dumped?

ARNOLD RAY POLLEY

of lawful age, Witness herein, having been first duly cautioned and sworn, as hereinafter certified, was examined and said as follows:

EXAMINATION

BY-MR. LEININGER:

Q. Would you please state your name?

A. Arnold Ray Polley.

Q. And how old are you?

A. Fifty-three.

Q. And your address?

A. 415 Travis Drive, that's Dayton.

Q. When were you originally hired by IWD or Danis?

A. It was -- I don't know the exact date, but it was September of '69 -- I mean, Labor Day of '69, that's when I started, so I don't know.

Q. Prior to that time had you worked in the waste industry at all as a driver or anything?

A. No, huh-uh.

Q. Okay. And when you hired in, have you always been employed as a truck driver?

A. Uh-hum.

Q. And during the time that you've worked for IWD, the first type of equipment that you hauled in

1 W. THOMAS JOHNSON
2 of lawful age, Witness herein, having been first duly
3 cautioned and sworn, as hereinafter certified, was
4 examined and said as follows:

5 EXAMINATION

6 BY-MS. BRIARTON:

7 Q. Would you please state your name and
8 address and age?

9 A. William Thomas Johnson, 204 Winchester
10 Street, New Carlisle, and I'm fifty.

11 Q. The information I have from the seniority
12 list indicates that you started in 1965; is that --

13 A. Yeah. That was the first round. Then I
14 quit, went to work in South Carolina.

15 Q. Let's start from the beginning. First of
16 all, before you started with Danis --

17 A. Uh-hum.

18 Q. -- did you work for anyone else in the
19 waste industry?

20 A. Blaylock.

21 Q. You worked for Blaylock?

22 A. Uh-hum.

23 Q. And when did you start with -- that was for
24 Louie Blaylock?

25 A. Yes, uh-hum, yeah.